

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 6295

BILL NUMBER: SB 96

NOTE PREPARED: Feb 7, 2011

BILL AMENDED:

SUBJECT: Cass County Deputy Prosecuting Attorneys.

FIRST AUTHOR: Sen. Head

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X GENERAL
DEDICATED
FEDERAL

IMPACT: State

Summary of Legislation: This bill allows the prosecuting attorney of Cass County to appoint one additional deputy prosecuting attorney paid by the state.

Effective Date: July 1, 2011.

Explanation of State Expenditures: (Revised) Currently, Cass County has the only deputy prosecuting attorney on the state payroll that qualified under this section of statute and is still on the payroll even though the patient population at Logansport has dropped to under the statutory threshold of 350. This bill would permit the state to continue to pay the salary for this position and prevent the state from realizing any savings from eliminating this position under current law. The current deputy prosecuting attorney who was appointed under this section of statute practices full-time at a salary of \$62,195, and is currently being funded by the state.

Background— Under current law, counties with state prison facilities with offender populations greater than 100 or state mental hospitals with populations exceeding 350 patients are permitted to appoint one or more additional deputy prosecuting attorneys. These deputy prosecuting attorneys are paid 75% of the salary of a full-time prosecuting attorney when they elect to work full-time. If they elect to work part-time, they receive 66% of the salary of a deputy prosecuting attorney who practices full-time. If no state hospitals or prison facilities are located in the county, the salary of the deputy prosecuting attorney is 60% of the salary of the full-time prosecuting attorney.

The following table shows the patient population and capacity for each of these facilities and the county in

which the facility is located.

State Institutions and Populations by County						
County	Vanderburgh	Vanderburgh	Cass	Jefferson	Wayne	Marion
Facility	Evansville Psychiatric Children's Center	Evansville State Hospital	Logansport State Hospital	Madison State Hospital	Richmond State Hospital	Larue Carter
Population on Nov. 8, 2010	17	158	268	128	260	152

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Division of State Court Administration.

Local Agencies Affected: Cass County.

Information Sources: Gina Eckart, Family and Social Services Agency; Division of State Court Administration, Indiana Supreme Court.

Fiscal Analyst: Mark Goodpaster, 317-232-9852.